

#4

IN THE UNITED STATES RECEIVING OFFICE

Applicant : Fritz H. Bach et al.
Serial No. : 10/511,612
Filed : October 15, 2004
Title : USE OF HEME OXYGENASE-1 AND PRODUCTS OF HEME
DEGRADATION

MAIL STOP PCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Responsive to the Notification of Missing Requirements under 35 U.S.C. § 371
mailed May 5, 2005 (copy enclosed), applicants as a small entity submit herewith the following:

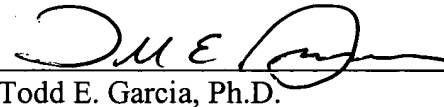
- ☒ A check in the total amount of \$165 for the additional claims fees and the late declaration surcharge;
- ☒ A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63; and
- ☒ A Petition for One-Month Extension of Time and a check in the total amount of \$60 for the extension fee.

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 15757-006US1.

Respectfully submitted,

Date: _____

8/5/05



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21140267.doc

CERTIFICATE OF MAILING BY EXPRESS MAIL

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| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/511,612 | Fritz H Bach | 15757-006US1 |

| INTERNATIONAL APPLICATION NO. |
|-------------------------------|
| PCT/US03/11411 |

| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|
| 04/15/2003 | 04/15/2002 |

CONFIRMATION NO. 4076

371 FORMALITIES LETTER



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26161
FISH & RICHARDSON PC
225 FRANKLIN ST
BOSTON, MA 02110

Docketed By Practice Systems
Action Code: PCT 2m Missing Pt
Base Date: 5/5/05
Due Date: 7/5/05
Deadline: 12/5/05
Initial: JDS

Date Mailed: 05/05/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/15/2004
- Copy of the International Search Report filed on 10/15/2004
- Preliminary Amendments filed on 10/15/2004
- U.S. Basic National Fees filed on 10/15/2004
- Priority Documents filed on 10/15/2004

RECEIVED

MAY 09 2005

FISH & RICHARDSON, P.C.
BOSTON OFFICE

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$100 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$165 for a Small Entity:

Docketed By Billing Secretary
Due Date: 7/5/05
Deadline: 12/5/05
Initials: MRB

- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$ 100
 - \$100 for 8 independent claims over 3.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

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PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/511,612 | PCT/US03/11411 | 15757-006US1 |